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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,652	10/31/2003	Takashi Koizumi	Q78263	8481
23373	7590	08/18/2004	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EVANISKO, LESLIE J	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 08/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/697,652

Applicant(s)

KOIZUMI ET AL.

Examiner

Leslie J. Evanisko

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☒ Claim(s) 14-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/31/03 & 5/19/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: partial translation of JP 9-71348

**DETAILED ACTION**

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Claim Objections***

2. Claims 14-18 are objected to because of the following informalities: With respect to claim 14, the term "the sheet" in line 15 has no proper antecedent basis because no sheet was previously recited in the claim since only a printing plate was previously recited. To correct this problem, it is suggested that the term "the sheet" in line 15 (two occurrences) be deleted and replaced with --the printing plate-- or similar language.

Appropriate correction and/or clarification is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4 and 9-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Kimura (JP 9-71348). Kimura teaches a conveying device comprising a moving member **7**, a rotating member **6** rotatably supported at the moving member **7**, and a holding member **15** rotatably supported at the rotating member (at **12**) and able to hold a sheet **P**, wherein in a state in which the holding member is holding the sheet, the holding member conveys the sheet by at least one of movement of the holding member, rotation of the rotating member with respect to the moving member, and rotation of the holding member with respect to the rotating member. See Figures 1-6 and 8-9 and the attached partial English language translation in particular.

With respect to claim 2, note the conveying device of Kimura includes different drive sources **10**, **8**, and **17**.

With respect to claim 3, note the conveying device of Kimura includes a restricting member **9** engaging the moving member **7** such that the moving member moves along the restricting member. See, for example, Figure 8.

With respect to claims 4 and 12-13, note the holding member **15** of Kimura is a suction member that engages the sheet at one end portion of the sheet **P**, as shown in Figures 1 and 3 in particular.

With respect to claim 9, note Kimura teaches a method as recited including holding the sheet **P** with the holding member **15** and rotating the rotating member **6**.

With respect to claims 10-11, note the conveying method of Kimura includes rotating the holding member **15** and moving the moving member **7**, as shown in Figures 4, 5, and 8.

5. Claims 6-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Müller (US 4,759,679). Müller teach a conveying device comprising a movable holding member **17** which can hold a sheet **13**, wherein, given that a direction of thickness of the sheet is a vertical direction, the holding member holds one end portion of the sheet such that the one end portion is oriented in the vertical direction, and moves and conveys the sheet in the direction in which the one end portion is oriented. See Figures 1 and 3-6 and column 5, line 35-62 in particular.

With respect to claims 7-8, note the holding member 17 is a suction member as described in column 3, line 68 and is rotatable about pivot point 33, as shown in Figures 3-6.

6. Claims 1, 4, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Okoda et al. (US 5,560,596). Okoda et al. teach a conveying device comprising a moving member **108**, a rotating member **110** rotatably supported at the moving member **108**, and a holding member **113**, **112** rotatably supported at the rotating member (at **105**) and able to hold a sheet **S**, wherein in a state in which the holding member is holding the sheet, the

holding member conveys the sheet by at least one of movement of the holding member, rotation of the rotating member with respect to the moving member, and rotation of the holding member with respect to the rotating member. See Figures 26-34 and columns 9-11 in particular.

With respect to claim 4, note the holding member **113**, **112** of Okoda et al. includes a suction member **112** as described in column 9, lines 66-67.

With respect to claim 5, note the holding member **113**, **112** moves and conveys a sheet **S** from a first position (Fig. 28) to a substantially opposing position (Fig. 30) through rotation of the rotating member **110**.

#### ***Allowable Subject Matter***

7. Claims 14-18 are objected to for the reasons set forth above, but would be allowable if rewritten to overcome the above objections to the satisfaction of the Examiner.

8. The following is a statement of reasons for the indication of allowable subject matter:

With respect to claims 14-18, the prior art of record fails to teach or fairly suggest an exposure device having all of the structure as recited, in combination with and particularly including, having a plurality of cassettes holding a plurality of printing plates, the cassettes being disposed in a vertical direction, an exposure section for recording an image of the printing plates,

and a conveying device for conveying the plates to the exposure section including a moving member disposed parallel to the plurality of cassettes and movable in a horizontal direction, along with a rotating member rotatably supported at the moving member and a holding member rotatably supported at the rotating member and able to hold the printing plate, the holding member holding the plate and conveying the printing plate through the movement(s) as recited.


### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bauer et al. (US 4,218,054), Jacobs (US 4,155,546), Buus (US 5,176,081), and Stahl et al. (US 4,509,736) each teach a conveying mechanism having obvious similarities to the claimed subject matter.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone number is **(571) 272-2161**. The examiner can normally be reached on M-Th 7:30 am-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Leslie J. Evanisko  
Primary Examiner  
Art Unit 2854

lje  
August 10, 2004